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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte PRASAD V. GADE, SANJIV G. TEWANI, and
THOMAS A. BAUDENDISTEL

Appeal 2009-012051
Application 10/696,517
Technology Center 3600

Before MICHAEL W. O'NEILL, STEFAN STAICOVICI, and
KEN B. BARRETT, *Administrative Patent Judges*.

O'NEILL, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE

Prasad V. Gade et al. (Appellants) appeal under 35 U.S.C. § 134 from the Examiner's decision rejecting claims 24-30 and 38-46 under 35 U.S.C. § 102 (b) as anticipated by Takano (US 5,060,919, issued Oct. 29, 1991). We have jurisdiction under 35 U.S.C. § 6(b). We REVERSE.

The Invention

Claim 24, reproduced below, is illustrative of the subject matter on appeal.

24. A method for controlling a hydraulic mount between an object and a base, the object having a bounce resonance frequency, the method comprising:
 calibrating at least one tunable parameter of a control system of the mount based on the bounce resonance frequency of the object;
 generating a first acceleration signal indicative of an acceleration of the object;
 generating a second acceleration signal indicative of an acceleration of the base;
 determining a relative acceleration across the mount based on the first and second acceleration signals;
 generating a control signal responsive to the determined relative acceleration based on the at least one tunable parameter; and
 controlling the flow of MR mount fluid in the mount responsive to the control signal to minimize the relative acceleration across the mount over a predetermined band of frequencies.

OPINION

We disagree with the Examiner's position that the viscosity of the mount is the recited "at least one tunable parameter of a control system." See Ans. 5 and 8. The viscosity of the electrorheologic fluid of the mount is not a parameter of Takano's control system, *i.e.*, differentiation circuit 86, 88; discrimination circuit 84; and pulse generating circuit 82. See Takano, fig. 1.

CONCLUSION

Based on the foregoing, we cannot sustain the Examiner's rejection of claims 24-30 and 38-46 under 35 U.S.C. § 102 (b) as anticipated by Takano.

DECISION

The Examiner's decision to reject claims 24-30 and 38-46 with Takano is reversed.

REVERSED

Klh